

Cyngor Ar Bopeth Cymru
Citizens Advice Cymru



National Assembly for Wales Legislation Committee No 5 – Consultation on the proposed Social Care Charges (Wales) Measure

Response from Citizens Advice Cymru

Citizens Advice Cymru welcomes the opportunity to respond to the National Assembly for Wales Legislation Committee No 5 scrutiny of the Government of Wales' proposed Social Care Charges Measure.

1. Introduction

1.1 The Citizens Advice Bureaux (CAB) service is the largest integrated network of independent advice agencies in Wales with service delivered from 50 main offices and 154 secondary advice outlets. Each CAB offers access to services by telephone, which is available 670 hours per week and the CAB service have arrangements in place to provide home visiting where necessary in every County. The local CAB service is delivered by the efforts of a variety of people. There are 1,574 people involved in the CAB service in Wales. Of these, 75% are volunteers. For further information on the Service and its work view Appendix 1.

1.2 During 2008 – 2009 Citizens Advice Bureaux in Wales dealt with 2,189 Health and Community Care issues.

2. Comments on the proposed Measure

2.1. As we stated in our response to Paying for Care in Wales: creating a Fair and Sustainable System (January 2009), Citizens Advice welcomes the decision of the Government of Wales to legislate in order to address the disparity in charging for home care services. (Our earlier response, which addressed issues in adult care services more generally, may be found at http://www.citizensadvice.org.uk/index/campaigns/policy_campaign_publications/consultation_responses/cr_healthcomcare.htm.)

2.2. (Q4) We are concerned that the objective of reducing disparities in levels of charging is not negated by variations in the level and quality of service provision. It is important that the eventual regulations define the services

clearly in order to avoid this. It is not clear to us whether the proposed Measure will enable ministers to take this into account.

2.3. (Q7) The minister is proposing negative procedure for the subordinate legislation (explanatory Memorandum para 5.4) on the grounds that the subordinate legislation will be concerned with financial and administrative arrangements for the operation of the charging regime. We are concerned that such detailed arrangements (such as maximum charging levels) may have considerable practical implications for service users. We therefore wish to suggest that there should be further opportunity for consultation at the subordinate legislation stage.

2.4. We are also concerned that the measure could have indirect or unintended consequences. If ministers decide to set maximum charge levels, that might result in local authorities coming to regard the maximum as the norm and those currently charging less could increase their fees, which could have a significant impact on service users. Conversely, if some local authorities have to reduce fee levels, the question will arise of how they are going to replace the lost income, and we are concerned that this should not lead to pressures to ration care in other ways.

2.5. We therefore wish to stress the importance of monitoring outcomes. At present all that is said in the explanatory memorandum (section 10) is that "monitoring and review arrangements will be set out in the detail of regulations to be made under the proposed Measure". We believe that this is an additional argument for further consultation at that stage.

**Citizens Advice Cymru
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Appendix 1 – Background: the Citizens Advice service in Wales

1. The Citizens Advice service provides free, independent, confidential and impartial advice to everyone on their rights and responsibilities. It values diversity, promotes equality and challenges discrimination.

The **Twin Aims** of the Citizens Advice Bureau service are

- to provide the advice people need for the problems they face
- to improve the policies and practices that affect people’s lives.

2. Local Bureaux, under the terms of membership of Citizens Advice (the operating name for the National Association of Citizens Advice Bureaux), provide core advice based on a certificate of quality standards on consumer issues, welfare benefits, housing, taxes, health, money advice, employment, family and personal matters, immigration and nationality and education. There are 31 Member Bureaux in Wales.

3. In the year 2008/09, Wales Citizens Advice Bureaux in Wales dealt with 298,119 client problems (11% increase compared to 2007/08). See table below for full breakdown of main headline enquiry areas.

